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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 ALEXANDER PAGE,

9 Plaintiff,

10 v.

11 FIFE POLICE DEPARTMENT, *et al.*,

12 Defendants.

No. C08-5381 FDB/KLS

**ORDER ADOPTING REPORT AND
RECOMMENDATION DISMISSING
ACTION WITH PREJUDICE**

13 This matter comes before the Court on the Magistrate Judge's recommendation that
14 Defendants' motion for summary judgment be granted and Plaintiff's civil rights action be
15 dismissed with prejudice.

16 As detailed in the Report and Recommendation, Plaintiff is unable to show any
17 constitutional violations in this matter. His Amended Complaint alleges conduct, even if true,
18 that does not raise to the level of constitutional significance. Simply stated, Plaintiff has
19 provided no evidence to show that his arrest was not properly accomplished or that any of the
20 Defendants applied force maliciously and sadistically to cause harm or that he actually suffered
21 injury.

22 Concerning Plaintiff's state law claims, it is undisputed that Plaintiff failed to comply
23 with the state claims filing statute .
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1 The Court, having reviewed the Report and Recommendation of Magistrate Judge
2 Karen L. Strombom, and the remaining record, does hereby find and ORDER:

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- 5 (1) The Court adopts the Report and Recommendation;
- 6 (2) Defendants' Motion for Summary Judgment [Dkt. 30] is **GRANTED** and this
7 case is **DISMISSED WITH PREJUDICE**; and
- 8 (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
9 Defendants and to the Hon. Karen L. Strombom.

10 DATED this 4th day of January, 2010.

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FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE